

Meeting of 1999-1-12 Regular Meeting

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
JANUARY 12, 1999 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor Cecil E. Powell, Presiding

Also Present: Bill Baker, City Manager; John Vincent, City Attorney; Brenda Smith, City Clerk

The meeting was called to order at 6:10 p.m. by Mayor Powell. Notice of meeting and agenda were posted on the City Hall notice board as required by State Law.

ROLL CALL

PRESENT: G. Wayne Smith, Ward One

Richard Williams, Ward Two

Jeff Sadler, Ward Three

John Purcell, Ward Four

Robert Shanklin, Ward Five

Charles Beller, Ward Six

Stanley Haywood, Ward Seven

Randy Warren, Ward Eight

ABSENT: None.

PRESENTATION OF CITIZEN OF THE MONTH AWARD TO PAT HENRY

Donna Richey, Mayor's Commission on the Status of Women, introduced Pat Henry as Citizen of the Month for January. Mrs. Henry was accompanied by her husband, T. J. Richey said Mrs. Henry was the first woman to serve as chairman of the Lawton Chamber of Commerce and Industry; member and president of the Association of the United States Army Southwest Chapter; board of directors of the National Congress of Parents and Teachers serving as president; Goodwill Industries Board of Directors; past member and director of Great Plains Area Vo Tech Foundation; president for Southwest Mountain Metro Economic Development Task Force; Board of Directors for Lawton Philharmonic Orchestra Society; Oklahoma Advisory Council on Juvenile Justice; United Way Board of Directors; and past board of directors member for the Galaxy Institute for Education. Mrs. Henry currently serves on the Lawton Metropolitan Area Planning Commission; Comanche County Memorial Hospital Board of Trustees; White House Commission on Presidential Scholars; and board of directors of Oklahoma Heritage Association serving as vice president.

Richey said Mrs. Henry has received numerous honors, with the dearest one being when the Board of Education of the Lawton Public Schools named a new school the Pat Henry Elementary School in her honor. She said Mrs. Henry's impact on the community has been great, and that she was an inspiration to the Mayor's Commission on the Status of Women.

Mayor Powell said it was an honor for him to participate in the award presentation because the Henry's had sponsored a baseball team for many, many years and he coached that team. He said they treated other people's children very well and cared for them and loved them, and that he agreed with the decision at the Board of Education in naming the building after Mrs. Henry. He said he also appreciated Mr. Henry's efforts in the community. Mayor Powell read the Certificate of Honor on behalf of the Mayor, Council and community.

Mrs. Henry said this was indeed an honor and that she almost felt embarrassed to accept something for doing something for a city that you love so much. She said she and her family moved to Lawton in 1964 and Lawton had been very, very good to them so it had been their privilege to give back. Mrs. Henry said she would not have been able to do the things Ms. Richey mentioned if she would not have had a boss who let her do that and she thanked her husband. She said there are thousands who volunteer their time to make this a great place in which to live and that she would accept the honor in behalf of all the volunteers she had served with over the years, and that it takes more than one person to make something happen.

PRESENTATION OF HUMAN RIGHTS & RELATIONS COMMISSION QUARTERLY REPORT - BOBBI WHITSON,
CHAIRPERSON

Bobbi Whitson, Human Rights & Relations Commission Chairperson, said the quarterly report had been provided for Council information and that she would answer questions. Mayor Powell said he attended a State Human Rights Commission banquet in Oklahoma City where a Lawton resident was honored, as well as a local hospital. He said he

appreciated the Commission's work.

RECEIVE A PRESENTATION FROM KHEPRA KHEM, PH.D., COMMUNITY PARTNERSHIP SPECIALIST WITH THE UNITED STATES BUREAU OF THE CENSUS.

Mayor Powell said he had asked that Lawton participate to the fullest extent possible in the upcoming census to insure that everyone is counted. He said some are fearful of the census and there is a need for education regarding the importance of an accurate count. There is a chance of losing national representation because of the lack of population count.

Khepra Khem introduced Betty Bledsoe, Manager for Field Operations. He said the Census Bureau had hired a team of people to try to build partnerships to help educate the community to spread the word in whatever manner possible. Khem said they had targeted the Latino community, the American Indian community, the African American community, the business community, the church communities, and really tried to focus on essential areas where they could spread the word the best.

Khem said there are three critical, essential issues. People need to be counted because Oklahoma is at risk of losing a seat in Congress; some have estimated that between 50 and 38,000 is the number we need to count in Oklahoma to maintain six representatives at the national level. There is a need that all of those representatives remain so Oklahoma can receive its fair share of the federal dollar. Another critical issue is redistricting within the State, and people should be educated that their political power is greatly diminished if they are not counted because they will have less influence to hold their elected officials accountable. The third issue is the need for critical services. Census figures determine who gets a street light, a street repair, a school, a library, a hospital or health facility. Important agencies document needs through census figures; if there are 900 people counted in one community and only 200 in another, the larger one would receive the critical service or repair.

Khem said they had recently closed out rural address listing and are ready to begin city address listing, which will take four to six weeks approximately, depending on the number hired to do the work. They are looking to hire people from the areas involved because they are the most familiar with the area. Lawton is beginning to advertise the job number, which is good, and in Lawton there will be 35 to 38 people hired for that work, and another 30 in the surrounding areas. Employees will visit community organizations and churches to talk about questionnaire assistance centers. The questionnaire will be mailed out in March 2000 and should be returned by April 1, 2000. People do not do this very well so they will hire census takers or enumerators to visit with people individually about the information. If the information is incomplete, a census taker will visit with them so they are encouraging everyone by every method possible to fill the questionnaire out completely and mail it back. He said it costs the taxpayer \$3 to mail the questionnaire back, but if they have to hire a census taker to retrieve the information, it costs around \$25 for the taxpayer to get that operation done. They plan to stop operation in this area in September 2000, so between April and September, they will be trying to cover the gaps and missed neighborhoods. Khem said they had received good information from Lawton's staff, and the census staff would be working with them to get the word out and educate the citizens as to the importance of being counted.

Beller asked what was meant by targeting certain groups. Khem said there is a high undercount in the American Indian population, upwards of 12%; undercount in the Hispanic population around 5%; African American population undercount was 4.5%, so they are targeting them with special messages to tell them to not fear the census but to trust it, and to educate them on how important it is to be counted and how the census benefits the community. He said some groups have a language barrier or low literacy rate, and people must read the questionnaire and check boxes so some need to be shown how this is done. He said the Asian community may also need assistance.

Mayor Powell asked Khem to explain the long form. Khem said they have a short form and a long form; the short form has about 30 questions and space for about five people in a household. The long form gets into more detail, such as how far you travel to work, how many bathrooms there are in your home, how many rooms there are in your home, and those questions can help determine the needs and costs for things such as utilities, road repair, street repair, or transportation needs. The long form will go to every sixth household; even the short form is intimidating because it folds out about six pages, and the long form is about 32 pages. People may resent having to answer so many questions and wonder why there is a need to know how many bathrooms a person has, but all the questions are of interest to different entities and it is important to provide the answers.

Haywood asked what the pay per hour would be for the 65 people that would be employed in the census. Khem said about \$9 per hour, depending on the county.

Baker said information in this regard is on the reverse of this month's utility bill to help advertise and get citizens some employment. He said Bob Bigham is the City's point of contact and project officer for the census, and he and his staff are already working on it.

Khem said the non-response mail back rates by census tract was fairly high, and up to 43% in some census tracts. Mayor Powell encouraged all citizens to learn how important the census count is to the community.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL MEETINGS OF DECEMBER 8 AND 15, 1998.

MOVED by Williams, SECOND by Haywood, for approval of the minutes. AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin. NAY: None. MOTION CARRIED.

AUDIENCE PARTICIPATION: None.

UNFINISHED BUSINESS:

1. Mayor's Appointments. Exhibits: Memorandum.

Beller said the item was tabled in December and one reason for that was so the Council could get better educated about what happens at the Airport and how appointments are made. He said we wanted to send a message to the Airport Authority that the City Council is indeed concerned about what happens at the Airport, and five or six members and the Mayor attended a meeting last Tuesday at the Airport, so they are aware of the interest of the Council in the direction the Airport is taking. Beller said some of the Council had visited with the Mayor and that most of the questions had been answered, and the City Attorney had provided an opinion.

MOVED by Beller, SECOND by Haywood, to approve the Mayor's Appointments. AYE: Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller. NAY: None. MOTION CARRIED.

Appointments are: Parks & Recreation Commission - Jackie Barrett, Ward 1 Member, Term: 12/21/98 to 12/21/2001; Museum of the Great Plains Trust Authority - Robert Shanklin, City Member, Term: 1/27/99 to 1/27/2002; Airport Authority: Mike Dixon, Term: 1/9/99 to 1/9/2002

BUSINESS ITEMS:

2. Hold a public hearing and consider an ordinance closing a utility easement located in the southwest quarter of Section 36, Township 2 North, Range 12 West, I.M., located at approximately 2109 SW Lee Boulevard. Exhibits: Application; 300' Notification Map; Easement (on file in Planning Department); Ordinance No. 99-1.

Baker said staff met with Chuck Wade and representatives of Lowe's this afternoon, and this item is the next step in this process. He said this easement is located directly under the proposed location of the building, and the easement must be closed for the project to proceed, followed by further action by Lowe's. Baker said this afternoon the Lawton Public School Board met and approved four easements and right of ways, which the City needs. He said there was a question about the drainage easement, and the original design was rather extensive in its requirements but an alternative was found and discussed this afternoon. Baker said Mr. Wade represents both Lowe's and the Lawton Public Schools and staff was given assurance that once the design was complete on the drainage, the City would receive whatever easement was necessary to accommodate that structure, and that was the only easement there was concern about earlier in the day and that has been worked out. He said staff recommendation was to approve the ordinance closing the easement.

PUBLIC HEARING OPENED.

Chuck Wade, Attorney for the Board of Education and for Lowe's, said he had delivered the easements to Mr. Bigham, and there will be changes in the drainage easement. He said there never has been a sewer line in this particular easement and the sewer line is located about 20 feet away, and one of the easements approved by the School Board today and delivered this evening to the City is an easement for the property where the sewer line is in fact located.

PUBLIC HEARING CLOSED.

MOVED by Purcell, SECOND by Smith, to approve Ordinance No. 99-1, waive reading of the ordinance, reading the title only, and declaring an emergency.

(Title read by Clerk) Ordinance No. 99-1

An ordinance closing a portion of a utility easement located in the Southwest Quarter of Section 36, Township 2 North, Range 12 West, I.M., to the City of Lawton; and declaring an emergency.

VOTE ON MOTION: AYE: Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller. NAY: None. ABSTAIN: Haywood. MOTION CARRIED.

Mayor Powell expressed appreciation to the City staff and Public Schools staff for working together for a common cause which will benefit everyone.

3. Hold a public hearing and adopt resolutions declaring the structures at: 1) 1627 SW Garfield Ave., 2) 2606 SW H Ave., 3) 2515 SW I Ave., 4) 1601 SW Jefferson Ave., 5) 2104 NW Lake Ave., 6) 2145 SW Roosevelt Ave., 7) 305 SW Summit Ave., 8) 1213 SW Summit Ave., 9) 1215 SW Summit Ave., 10) 907 SW 4th St. to be dilapidated and detrimental to the health and safety of the community, and authorize the expenditure of CDBG funds, if necessary, to demolish the structures. Exhibits: Resolution Nos. 99-____ to 99-____.

Warren asked if the properties listed in the item met the requirements included in the City Attorney's memorandum as to what we should be doing. Vincent said these were in the process prior to that memorandum being written, so it was discussed and decided to bring them to Council for a decision on whether to proceed or not. Warren asked if it would be appropriate to table the item before the public hearing until such time as the requirements have been met. Vincent said that would be up to the Council.

MOVED by Warren, SECOND by Shanklin, to table this item until all of the items that were included in Mr. Vincent's memorandum have been accomplished on these properties. AYE: Sadler, Purcell, Shanklin, Beller, Haywood, Warren. NAY: Smith, Williams. MOTION CARRIED.

4. Consider approving an agreement between the City of Lawton and the U.S. Army Field Artillery Center and Fort Sill for joint use of the water-based recreational facilities at Lake Elmer Thomas Recreation Area (LETRA). Exhibits: Agreement.

Vincent said the agreement has been finalized and included in the packet; effective date would be tomorrow.

MOVED by Purcell, SECOND by Smith, to approve the agreement between the City of Lawton and Fort Sill for the joint use of Lake Elmer Thomas effective tomorrow.

Williams said this is a world class facility and he was glad we were working together to enhance its usage. He said in the pursuit to get the word out to the citizens regarding its use, there are also some fine facilities within the City of Lawton at the public lakes, and use of those facilities should also be encouraged. Mayor Powell expressed appreciation to Fort Sill for the joint use of the facilities. Purcell suggested the dates on the agreements be corrected to show 1999. Vincent said that would be done and the date on Page 37 would be January 13, 2000.

VOTE ON MOTION: AYE: Williams, Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. MOTION CARRIED.

5. Consider approving revised Council Policy 1-6, Rules of Procedure, to provide for the placement of a non-voting representative of other government agencies to be seated with the City Council and speak on matters of interest. Exhibits: Revised Council Policy 1-6.

Vincent said this was presented in December for comment, and Beller and Purcell had provided comments. He said he could not include all of Beller's comments and still meet the requirements of the First Amendment to the United States Constitution, but he attempted to clear it up on Page 50, the third underlined paragraph, the word "only" was removed to allow flexibility. The other comments related by Purcell were to take out part of the last sentence of the proposed change also shown on Page 50. Vincent recommended approval of the item.

Beller said if the gentleman is a part of the group, which he will be, he should be allowed to participate in all of the discussion. He asked how that would be a problem if he is a member of the body. Vincent said the members of the body are the members elected by the people of the City of Lawton, and by rule change, we are allowing an ex-officio member, a non-elected official, to participate in certain things. Vincent said we do not want to open all discussions up to the general public. Beller said the person will be an ex-officio member and he was concerned about "what if" situations, such as where some Council Members may feel the ex-officio member should be involved in discussions and others disagree. Vincent said the language states "on matters of interest to the agency" so the ex-officio member would decide what he wanted to speak on, if it is of interest to that agency that he is representing as the ex-officio member. Beller said the agency should be Lawton-Fort Sill. Vincent said the agency is Fort Sill. Beller disagreed and said if we are pursuing a joint effort, we should be allowed to say in writing that you can participate in all the discussions. Vincent said he was not saying that the ex-officio could not participate. Beller said it refers to matters of interest to the agency. Vincent said if he is the representative of the agency, he makes that determination. Beller said he hoped it did not cause future problems.

Purcell said on Page 50, last underlined paragraph, we should remember that three Council Members also represent Fort Sill. He suggested the last sentence read "that the representative liaison may submit an agenda item for Council consideration to the Mayor or any Council Member". Purcell said if he was to represent Fort Sill, he wanted to be able to accept an agenda item from someone at Fort Sill or from the representative, and the other members would also like the ability to do that. He suggested that after the word "Mayor" to delete "for consideration" and add "or any council member". Mayor Powell said he had no problem with that.

MOVED by Smith, SECOND by Purcell, to approve the Council Policy as amended. AYE: Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

6. Consider adopting an ordinance amending Section 19-702, 19-704 and 19-707, Chapter 19, Lawton City Code, 1995, amending the fees charged by the City of Lawton for the use of facilities or participation in recreational programs and declaring an emergency. Exhibits: Ordinance No. 99-2.

Rick Endicott, Acting Parks & Recreation Director, said there are three code provisions that relate to fees and this is an attempt to place it in one paragraph, and the next item actually addresses the fees themselves.

Shanklin asked if the concerns in the letter from Marilyn Fever had been addressed. Baker said yes and that he had spoken with Ms. Fever. Baker said if the items are included in the budget, which is approved by Council, then the City would be a co-sponsor of the activity and would not charge the fees. Baker said every effort would be made in budget preparation to identify the different events and include them in the budget for Council consideration. Mayor Powell said a meeting was held with Keith Jackson and Marilyn Fever and others in this regard and they are comfortable with this.

MOVED by Purcell, SECOND by Haywood, to approve Ordinance No. 99-2, waive the reading of the ordinance, reading the title only, and declare an emergency.

(Title read by Clerk) Ordinance No. 99-2

An ordinance amending Section 19-702, Chapter 19, relating to recreational facility fees; repealing Sections 19-704 and 19-707; and providing for an emergency.

VOTE ON MOTION: AYE: Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler. NAY: None. MOTION CARRIED.

7. Consider adopting a resolution establishing and amending the fees charged by the City of Lawton for the use of facilities or participation in recreational programs providing for an effective date. Exhibits: Resolution No. 99-1.

Endicott said the two areas are sports programs and use of buildings. He said there are some new fees regarding weekend rates for use of Carnegie Library Town Hall because it may require paying overtime. Beller asked if the work schedules could be set so that a person did not have to be paid overtime. Endicott said that can be done in many cases, although people sometimes do not make a commitment until the very last moment so we have to rearrange schedules to meet those needs, and sometimes it can be done and sometimes not, which may require overtime, but the preferred way is to flex the hours or rearrange the schedule. Endicott said in the sports area, these are the fees that have been established previously but they had not been codified.

Purcell said the fees for Town Hall were increased a time back. He asked how much of an increase is included for Town Hall in this item. Endicott said for Town Hall, upstairs, non-commercial use, daily rate, went from \$15 to \$20 per hour; weekend rate is a new rate; Mamie Small Room was \$10 per hour and went to \$15; so most are about a \$5 increase. Purcell said the last increase seemed much larger and he wanted to be sure this one was not so large.

Shanklin said on Page 57 there is a reservation charge of \$75 per field for one to four hours, additional use will be at the same price per field and for hours used. He asked if it is \$75 whether you use it five minutes or four hours. Endicott asked Roy Crouch, Sports Supervisor, to respond. Crouch said the fee referred to is under the special event category for athletic fields and it was not being raised. Shanklin said he was not worried about an increase but did not understand how the fee would be calculated, and asked if it would be \$75 per field for one hour or \$75 per field for four hours. Crouch said for one to four hours. Shanklin asked if the field was used for six hours, would it be another \$75. Crouch said it is \$75 per field for one to four hours usage, and any additional use would be the same price per field, which is the \$75. Haywood asked if it was four hours and fifteen minutes would it be more than \$75. Crouch said he did not think they would be that technical and would try to work with the group. Shanklin said there could be a problem in this.

Williams asked for an example of a special event. Crouch said there was a dog show at the McMahon Softball Complex and there are not that many because most fields do not have special events.

Shanklin said he felt \$75 for four hours should be split up with a minimum of \$40 but if they stay all four hours they would pay \$75, and two hours is a pretty long practice. Williams said it is only for special events, and not athletic events. Mayor Powell said the athletics are on Page 56.

Haywood asked what the charge would be for use of recreation centers. Endicott said there is a difference for groups who charge fees and groups that are not charging fees. It is \$75 per hour if the group charges a fee for an event at a recreation center, such as an event where a person is charged \$4 or \$5 to get in, that group would pay \$75 per hour. Haywood said many have family reunions at the Owens Multi-Purpose Center and Patterson Center and asked the fee for those. Endicott said \$20 per hour.

MOVED by Smith, SECOND by Purcell, to approve Resolution No. 99-1. AYE: Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 99-1

A resolution establishing and fixing fees and charges for the Parks and Recreation Department various community activity services and use of City buildings, facilities and grounds for an effective date.

8. Consider rejecting proposals received for co-composting municipal solid waste, and authorize staff to purchase printed plastic bags to implement the separate collection of yard trash program effective April 5, 1999. Exhibits: Memorandum dated 11/9/98.

Jerry Ihler, Public Works/Engineering Director, said that Council directed that RFP's be received for co-composting of municipal waste; co-composting includes all municipal waste collected. Two proposals were received, one from Cardinal Engineering in Norman and one from Earth Care in Fayetteville, Arkansas. The Mayor appointed a review committee of three Council Members and Ihler and the committee reviewed the proposals. Committee recommendation shows the most cost effective proposal would cost the City about \$3.4 million per year over and above what is currently spent on landfill operations. Operating cost for a period of 20 years, which included construction of cells two and three at the landfill and construction of additional cells under Subtitle D regulations to the south of the current landfill in ten to twelve years, and compared that to the cost of the co-composting contract with the low proposal, and the cost difference over the 20 year period was about \$70 million more. The committee accordingly recommended rejection of the proposals and not proceeding with co-composting because it is not cost effective to the citizens of Lawton.

Ihler said Council approved a contract in December for purchase of special, plastic trash bags that would be used for picking up yard waste only, and as part of that process, we would provide an additional, third pick up for the residents who would need to place their yard waste trash into the special bags for pick up. The bags would be sold to store owners who are interested in participating in the program, and residents would purchase them from those stores at a cost of \$5 per package with each package containing ten bags, so it is a cost of fifty-cents per bag. This concept is to be implemented in April 1999 and will be the first step in separating municipal waste from yard waste which would allow the beginning of a composting program for the future, and would also provide for equitable payment for services because those having the most yard waste would pay the most as a result of having to purchase the bags. Staff was directed to delay purchase of the bags until the RFP's on co-composting were reviewed. Ihler said the question now is whether or not to proceed with purchase of the bags.

Purcell agreed the proposals should be rejected but felt there was a problem with the bags. He said it would be a separate pick up, citizens would be forced to buy special bags, and it was his understanding that the bags would be dumped in the landfill, at least for now, instead of putting them with Fort Sill's composting operation or using it for a composting operation for Lawton. Ihler said it would be mixed with the daily cover. Purcell said that seemed to be a waste of time, money and effort, although when composting is operational, he would support it. He said it seemed to accomplish nothing at this point.

Williams said he understood Ihler to say it would be mixed with ground for daily cover. He said we should at least get ourselves in a position to start the program and that he would support this first step to a composting operation.

Sadler said there is a difference in throwing the grass in the landfill and in using it as daily cover, and there is a savings in using that method. He said he did not support it initially but we are this far into it so we should try it and see how it works out. Sadler said if the yard waste is never separated, there will never be a chance to pursue the composting and other opportunities.

Shanklin said he had pushed for this for almost ten years, and the biggest problem initially was the inequity of individuals putting 40 bags out and several residents in his area putting out two bags a week and the price is the same. He said we would need \$700,000 to go to composting. Ihler said it was a \$700,000 capital investment for the equipment and \$300,000 per year for operational costs, and that was for a composting facility similar to the one in Norman. Shanklin said Lawton may be doing that in a year or so anyway, and Norman has one collection per week for yard waste and one for solid waste so Lawton may have to look at that. He said this program should be started and a lot of man hours have been put into this.

Sadler said he thought the bags would not cost so much, maybe about a nickel, and asked if the bids came in higher than anticipated. Ihler said the bags themselves are purchased for twenty-one cents and there is an additional cost to provide the UPC codes that we thought would have been less than a nickel. Ihler said the UPC code was less than a nickel but the bags were about twenty cents. Sadler said he thought we would make more money on the sale of the bags.

Warren said there was a number mentioned as to how many feet would be saved in the landfill by using grass as a cover material. Ihler said with regard to saving space, based on total volume of yard waste and trash received, yard waste makes up about 20% of the residential waste that is collected, but the residential refuse is less than 50% of the overall waste, so it is about 6% of the space per year that would be saved with yard waste composting. Ihler said the big issue last time was not so much the landfill space savings, although that was a supplemental benefit, but the biggest issue was equity with the number of bags the individuals put out for collection.

Purcell asked when the separate collection takes place, will the separate collection be used for ground cover and not dump the bags in the landfill. Ihler said it will be used for ground cover and mixed with ground cover and it will help fill the void spaces that are currently being filled with earthen dirt material. Purcell asked if we will dump the bags in the landfill itself. Ihler said when we pick up the bags at the house, we will cut the bags open and dump the grass into the truck.

Beller said the committee discussed if commercial users bring their waste to the landfill, there will be no charge as far as yard waste. Ihler said that is correct, residential or commercial, if they bring yard waste and grass clippings to the landfill in a pick up or whatever, and it does not have to be in the City bags, if they personally bring it, it can be in the back of a pick up covered with a tarp, or if it is other bags, we will have to verify that it is yard waste. Beller said he counted 37 bags in front of one residence last year and others may have one, two or three bags, so there is an obvious inequity. Beller said some of the commercial cutters put out very, very large bags that could contribute to back injuries the solid waste workers may sustain.

Mayor Powell asked if commercial lawn cutters would be charged to dispose of the grass. Ihler said if they take it to the landfill and dispose of it in the special area that will be used for this, they will not be charged, nor will a resident. Smith said anyone who did not want to pay for the bags could take the grass to the landfill themselves and Ihler said that was correct. Baker said that applies if it is not co-mingled with other waste and Ihler agreed.

Haywood asked what days crews would pick up the grass. Ihler said pick ups are either Monday and Thursday or Tuesday and Friday and we currently use 13 crews to pick up twice a week for residential waste. Ihler said we would have nine crews pick up the household waste and four crews pick up the yard waste; if you have a Monday and Thursday pick up, the yard waste would be picked up on Tuesday or Friday and it would not be on the same day as the regular household waste. Beller said it is only from April to October and not all year. Ihler agreed and said trash would be picked up November through March as it is now, two pick ups a week.

Ihler said this is an experiment and pilot program, and we feel we can cover the whole city with the crews mentioned, but it is a pilot program and has not been tested.

Mayor Powell said the recycling committee is meeting and making gains and he invited everyone to attend their meeting Thursday at 4 p.m. at the Library. Officials from Norman will explain their program, which is very successful. Mayor Powell said the committee would be making a recommendation and he hoped it would be accepted and not lost through this process. Ihler said the committee will be discussing composting and recycling. Shanklin said Norman has privatized trash pick up.

MOVED by Williams, SECOND by Haywood, to reject the proposals received from the co-composting groups and authorize staff to purchase the printed, plastic trash bags to implement the separate collection of yard waste program effective April this year. AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin. NAY: None. MOTION CARRIED.

9. Discuss enforcement procedure for enforcement of high weeds and grass code and take appropriate action. Exhibits: Enforcement Information.

Warren said last year there appeared to be a misunderstanding between Council and staff about what Council wanted as far as enforcement of high grass and weeds. He said the whole point was that people were to be given tickets so they would realize that they are supposed to mow the grass; nowhere in the memorandum is mention made of giving a ticket for a violation and that is part of the problem. He suggested having a council policy that staff is expected to issue a citation any time the grass exceeds the allowable height in the code, the first time they go, and in ten days when they go back to check, if it has not been mowed, issue another citation, and if it remains, go through the process to have it mowed and on down the line. Warren said the problem is the last time that was done, the subject of junk and debris came up and everyone was cited for that and everything got clouded as to what Council was talking about. He said high grass is high grass and it should not take 14 pages of legal documents to tell me that my grass is eight inches tall or eleven inches tall. He said a resident would obviously know or a property owner should be responsible to know if the grass is too tall on his rental properties. Warren said junk and debris is different and he had no problem giving warnings and talking to people because there could be a question as to whether or not a person would consider something to be junk and debris, but there is no question about the grass and no reason we should have to tell someone their grass is twelve inches tall because they know it and will wait us out to see how long the citizens who live around them will put up with it. Warren said it creates a horrible burden on those who live in the neighborhoods and the citation seemed to be a reasonable solution; if you mow your grass once every two weeks, you do not have to worry about the City of Lawton coming to your house.

Purcell said he received many complaints last year on this subject; inspectors will verify complaints and issue an order to mow the grass eventually, and they have ten days to comply. He said some still do not mow or they appeal the administrative order to Council in another week or two, so you are then into a month or longer trying to gain compliance. Purcell said by the time the appeal comes to Council, the owner may withdraw the appeal. He said some lots are getting mowed twice or maybe three times over an entire summer and that was the reason the ordinance was passed saying if the grass was above the limit, they would be issued a citation at that time, as well as the administrative procedures, but they get the citation and go see the Judge and the Judge can take appropriate action. Purcell said at least the person would be inconvenienced, because all of their neighbors are certainly being inconvenienced by the nuisance. He said he felt that was what Warren was attempting to do, to institute early in the year, when the weeds are over the limit and someone from the City goes out, they immediately issue the citation and continue on with the administrative abatement as before. Purcell said he was not sure if another citation was needed in another ten days or not, but there is a need for a citation to be issued.

Warren said he was not blaming this on staff and there are many rules in the City, as well as State laws, and by issuing the ticket the first time, we may not have to go through so many of those steps because people would know they would get a ticket and it would cut down on the time.

Beller asked if the ticket was \$200. Dan Tucker, Code Administration Director, said that is the maximum amount. Beller asked if the inspector can indicate on the ticket what the amount of the fine should be or how do they arrive at the figure. Beller said he remembered an elderly gentleman receiving a ticket last year for \$200 when he received only \$400 a month in Social Security, and there are extenuating circumstances. Purcell said in those cases, the Judge may not fine them \$200. Beller asked if there was a specific amount. Tucker said no. Beller asked who determines the amount that is to be paid as a result of the ticket. Shanklin said the Council can. Tucker said the Judge does. Warren said the Judge can throw it out, charge \$10 or \$200, it is up to the Judge. Warren said we need to get those people down to the Judge's chambers so they have to do something and not just sit at home and watch the grass grow. Shanklin said Council can set the fine at \$25 if it so desired and it does not have to be the maximum amount.

Shanklin said he did not know that a ticket should be written the first time an inspector goes out. He said the inspector could call their attention to the height of the grass and tell them if they do not abate it within ten days, then a ticket would be issued, and staff will have that record. Shanklin said it may be difficult for elderly people to get their grass mowed and that should be considered. He asked who would get a ticket on a rent house when the owner is not present. Vincent said under the code, both can be given a ticket. Shanklin asked if the tenant can be given a ticket and Vincent said yes. Mayor Powell asked if the owner could also be given a ticket and both of them be made to pay. Vincent said yes, and if there is a management company involved, they can also be given a ticket. Shanklin said they thought Mr. Kirby had legislation passed where a sign could be posted on a house and if the nuisance was not abated within ten days, the ticket would be given, but there is a process requiring 30 days at some step in State law. Vincent disagreed and said the ticket process and

abatement process are completely separate.

Warren said we are missing the point; we can issue a ticket to the renter, property owner, and so forth, but the Judge is the one who will listen to the story and either fine them or not. He said Code Inspection should not get involved with that and Council should give direction as to what they expect and allow the Judge to do his job.

Williams said there is an ordinance in effect now and it is a matter of enforcing it. He asked Baker if he felt there would be a problem in directing staff to enforce the ordinance as it is written at the present time. Baker said he did not see a problem with that.

Baker said this is a big problem in the community, and while he was Assistant City Manager for the last three years, he had received more complaints on this issue than any other issue. Last year was an exception due to the drought, but the two previous years were bad and complaints numbered in the thousands. It is a nuisance to the neighbors and a frustration when it cannot be corrected, and they call the City and have to tolerate the problem next door to them in the neighborhood. Baker said it can be enforced but it would be helpful to have some policy guidance because in the past, Code Administration had been caught in the middle. He said he remembered when this was placed on the agenda by Council Member Maples, and shortly thereafter, the guidance from the City Manager to Tucker was to write a ticket on any code violation, so that was done and there was a reaction to that because it did not appear to be fair. Baker said he felt the intent was just on the high weeds and grass, but the direction Tucker was given by the City Manager was to write a citation on every code violation. Baker said he could give Tucker that same guidance and be within his authority to tell him that, but he felt we were looking for policy guidance from Council because we do not want to get into the summer months and find out that we are enforcing this in such a manner that is not in agreement with the Council's wishes and then create problems during the season. He said he was glad it was placed on the agenda now so the direction can be provided before the growing season starts.

Purcell said he would make a suggestion and then put it in the form of a motion. He said he agreed with Shanklin that the first time they go in response to a complaint, they start the ten day process, then leave a note saying you have ten days to abate this. Tucker agreed. Purcell said at the end of ten days, the inspector goes out to see if it has been abated. Tucker agreed. Purcell said if it has been abated, that is the end of that issue for that time period, and if it is not abated, you then start the administrative order procedure. Tucker said Shanklin was talking about three ten-day periods in the State Statutes that are addressed, and we used to handle them on the basis of the first ten days, then you had another ten days, then you had another ten days, but now we give the ten day options all at the same time. Purcell said he understood that, but after ten days, you go back and see if it has been mowed. Tucker said if it has not been mowed at that time, we issue the order to the contractor to mow the property. Purcell said with that in mind, he was suggesting that when they go out and find the violation the first time, they do exactly what they are doing now; when they go out after the ten days is up and it still needs to be mowed and you have to issue the order to the contractor, that is when the citation is issued because the person has gotten a warning that he has ten days to take care of it, and he still has not done so, we then issue the ticket as well as the order to mow, and if that is agreeable, he would put that in the form of a motion that we need to give guidance to the City Manager that that is how we want this enforced, and emphasized that he was only speaking of high weeds and grass period. He said he would make that motion that we issue the citation at that time, when they go out after the ten days and it has not been mowed.

Haywood asked if Tucker was saying the same thing as Purcell. Tucker said with the exception of the ticket; we get people to court in two ways, one is through seeing a person and issuing an actual, hard copy ticket, and the other way is to file charges against a person in Municipal Court and having a summons issued and the person appears before the court to be arraigned. Tucker said last year, there were 1,351 high grass and weeds complaints; of that number, when inspectors knocked on the door and made contact, 664 people took care of it right then and there; there were 687 that we had to send the admin order out to and if we tell you today that your grass is high and you say I'll mow it this afternoon, we do not send the admin order until tomorrow after we go back and see whether you did or did not mow it. Of the 687 administrative orders that we sent out, we only had to mow 180 individual properties. There were 12 properties that were repeats where we had to mow a second time, and of that 12, we issued seven citations. One of the major advantages of doing the admin order is the City has a six month window where we do not have to tell the person any more to mow the grass.

Warren said his real concern is the time. He asked if we are talking about grass that is 12 inches tall, and Tucker said yes. Warren said if it grows two inches a week in a good growing season, the neighbors would have to put up with that nuisance for six to eight weeks. He said after a person takes that whole time, they may have to mow the grass twice all year, and we are trying to get away from that. Warren said just as Tucker was saying, when we knock on the door and warn them, we are getting some action, but we should not have to brow beat people into following the code. He said the only way he could agree to Purcell's motion would be to allow people who run red lights and speed to get a ten day warning, such as if you do not stop speeding within the next ten days, we will write a ticket. Warren said it made no sense to have a code and not follow it.

Williams asked if the two ways to get a person before the judge were to issue a ticket or an administrative order. Tucker said no, it is writing a ticket or filing a complaint of a nuisance, but not an administrative order. Williams said if you wrote the ticket, that would be the easiest and quickest way, and the person may not even have to be around, as was the case with the old parking meters where a ticket was left on the windshield of a car, and it would seem that a ticket could be placed on the door or on the house. Tucker said that works with parking because there is a vehicle tag and the owner is responsible, but when we send a complaint to court filled out with only a name and no social security number, it could be a problem. Williams said you have the legal description of the house and the name of the owner. Vincent said the complaint

must be issued to an individual and at the time the inspector is there, he may or may not know who owns the house. Williams said he heard previously that it did not matter. Vincent said it does matter; if the individual is at home, the inspector knocks on the door and can write a ticket based on the identification that individual has; otherwise, they come back and do legal research to determine the owner and send out a summons. Shanklin said that is time consuming at the Court House and Vincent agreed. Vincent said we have to have someone to hand the ticket to.

Haywood said he was saying ten days because there are circumstances where someone could have a heart attack or be in the hospital for two weeks. He said the person should have ten days before being given a ticket.

Purcell said that would do away with the problem because Code Administration has to know who owns the house because he has to issue the administrative order to someone, and that same name then goes on the ticket at the end of that ten day period. He said he understood that Warren wanted it done the first time, but he was willing to say, give them the ten days, and when you go back out if it is abated, there is no ticket, but if not, the minute he issues the administrative order, he issues a citation and the judge can decide what he wants to do with it.

Shanklin suggested directing staff to come back with something at the next meeting.

Tucker said one of the problems is making the owner aware that it is a violation, and once they know that twelve inches is the magic number, then he had no problem issuing a ticket. One of the things they had been telling the neighborhood associations was when the grass gets to seven, eight or ten inches, before it becomes a major problem, if they will let Code Administration know, they will give notice that if you allow it to continue that it will become a misdemeanor, and then if they have not complied when it actually gets to a point of violation, they can do something about that. Williams suggested placing the information on the back of the utility bill. Warren said we have access to the newspaper, television and putting it on the back of the water bill. He said Purcell's motion is basically what we are doing right now.

Mayor Powell asked that the motion be restated.

MOVED by Purcell, SECOND by Smith, to direct the staff to come back, if that's what they need to do, that it be the council policy that we issue a citation in accordance with the ordinance whenever Dan has to go back out and issue an administrative order; we don't do it the first time, but the minute Dan issues an administrative order on high weeds and grass, he also issues a citation.

SUBSTITUTE MOTION by Warren, SECOND by Williams, to direct staff to enforce the code as it is written and issue a ticket upon the discovery that grass is over the amount allowed in the code.

Shanklin asked if Warren wanted to establish a dollar amount for the first ticket. Warren said the judge could do that. Shanklin said Council had set fines for certain violations in the past and not everything is a \$200 fine. Vincent said it would require an ordinance amendment to set a fine schedule for this type of violation and that cannot be done under this agenda item. Shanklin said that was the reason he suggested earlier that staff study it and bring it back.

Mayor Powell asked that the Substitute Motion be repeated. Warren said the substitute motion is that Council direct staff to follow the code and issue a ticket or citation whenever the grass is discovered to be at a height greater than allowable by code.

VOTE ON SUBSTITUTE MOTION: AYE: Warren, Williams. NAY: Haywood, Smith, Sadler, Purcell, Shanklin, Beller. NAY: None. SUBSTITUTE MOTION FAILED.

Mayor Powell asked if it was appropriate to vote on the original motion at this time. Vincent said yes and that he did not think there needed to be a council policy and this is ample staff direction. Mayor Powell asked that the original motion be repeated. Purcell said the motion is that the City Manager direct the staff to issue citations at the same time they issue the administrative order for high weeds and grass only.

VOTE ON ORIGINAL MOTION: AYE: Smith, Sadler, Purcell, Beller, Haywood. NAY: Warren, Williams, Shanklin. MOTION CARRIED.

10. Consider directing staff to return appropriate documents to allow use of golf carts by disabled persons or senior citizens in camping and recreation areas at City lakes.

Beller said he requested the item and that the Lake & Land Commission considered it last week. He said it was not his intent that anyone be allowed to operate a golf cart on a city street. The concern is at the lakes in the recreational areas, people have golf carts, which are non-gas burning vehicles and most of them are electric, and it is a means of conveyance for them to get from the camping sites to the fishing piers or the areas they want to access. Beller said the law enforcement people at the lakes pointed out that golf carts could not be issued licenses or permits to be operated on city streets, and it was not his intent that they be allowed on city streets but they should be allowed in the recreational areas. He suggested the use be allowed by any licensed driver over the age of 18, rather than limiting it to disabled or senior citizens. He said there is no cost involved and that he could not believe that people could not get back and forth without a policeman stopping them for a violation. Beller said at many golf courses, one portion would be on one side of a highway and another portion on the other side, so you drive across the highway to get to the other side, and he did not view that as a violation. He said tonight there were pieces of huge, earth moving equipment being driven down Cache Road and they

are likely not licensed to do that and that he did not see a tag on them.

Vincent said he felt a solution had been found and an item could be returned if Council so directed.

Warren asked if the roads at Lakes Lawtonka and Ellsworth are considered city streets. Vincent said yes. Warren asked if the State requires following certain traffic laws. Vincent said yes. Warren asked if those State laws require that golf carts not be permitted to drive on those streets. Vincent said yes. Vincent said the solution being considered is to create a path adjacent to the street and mark designated areas to cross the street, if that is required, to another area where there is a path, and they are never physically on the street except in the designated crossing area. Vincent said golf carts cannot be licensed by State law or be operated on public streets, and we could remove the designation of public streets in those areas but there would be an enforcement problem with drunk driving and speeding so that is not a viable option.

Williams said he supported this item and asked if another path would have to be constructed by the roads, which are only made of gravel. Vincent said some are paved and we are talking about building another paved street out there as an access. Vincent said there is an indication also that the areas have been designated as city parks, and that may create another problem to be dealt with, but he felt a solution could be reached.

Smith said he had been at Lake Lawtonka on busy holiday weekends and he was afraid someone could be killed. Beller asked if Smith was referring to the skiers. Smith said he was referring to the golf carts. Smith said kids would probably be operating their parents' golf carts. Beller said it would be limited to licensed drivers. Smith said he could not support the issue. Vincent said there is a designated area for three or four wheelers and those types of vehicles, and those cannot be operated anywhere outside those designated areas.

MOVED by Beller, SECOND by Williams, to ask staff to bring back something for Council to consider that would permit the use of golf carts in recreational areas.

Vincent said he would like to return the item to the second meeting in March and Beller agreed.

Warren said he did not have a problem with this if there is a designated area, but there is a problem with Council setting a policy or code and then saying "except". He said if it can be done with a separate road, he did not have a problem with it. Vincent said we cannot allow golf carts, three wheelers, or similar vehicles to be operated on the designated city streets at either lake. Vincent asked if we are talking about just the lakes, licensed drivers over 18 and just golf carts. Beller said yes.

Sadler asked if a person could be given a ticket for operating a golf cart if they are intoxicated. Vincent said it is city property and an intoxicated person can be charged with public intoxication, whether they are driving or not. Shanklin asked if they would be allowed to drive anywhere except on the designated roads except when crossing. Vincent said he needed to talk to the Police Chief and Public Works Director about how an area could be designated for them to get from a camping area to the concession store, and that he was not talking about driving all over the lake property in a golf cart. Beller said no, but if they wanted to go down to one area or another, or visit another camper, he did not think there would be a problem with enforcement. Beller said he did not think it should be strictly from the camping area to the store. Vincent said staff would work on the item.

VOTE ON MOTION: AYE: Williams, Sadler, Purcell, Shanklin, Beller, Haywood, Warren. NAY: Smith. MOTION CARRIED.

11. Consider adopting a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 1995, amending fees for Fire Protection Outside City Limits. Exhibits: Resolution No. 99-2.

Don Barrington, Fire Chief, said the fees have not been changed for quite some time and the proposal is to raise the fees from \$100 per hour per unit to \$200, and from \$2 per mile to \$4 per mile per vehicle. He said this will cover the increased cost of operation of the equipment for Lawton's equipment to respond to calls for assistance outside the City limits.

Shanklin asked if we respond to emergencies outside the City limits for those with contracts even though there is no exchange of funds until they use the service. Barrington said yes. Shanklin said in some areas, you pay a fee every year for fire protection and that should be considered and a fee charged whether we have to respond or not. Shanklin asked if we respond to emergencies such as grass fires, knowing there will never be a payment received. Barrington said other departments operating in the vicinity may request assistance, or if the fire is bordering our limits, we do respond. Shanklin asked if we expect to be paid for that service. Barrington said we do submit a bill for payment for those even though there is not an agreement, and that he and the City Attorney had been working on the agreements. Shanklin asked if we do not respond to someone mile outside the City limits if they call in and say their house is on fire and Barrington said yes, we do not respond according to the implication of the agreement.

Vincent said many agreements have expired and we have continued to respond to those. He said they had developed a new agreement and would be sending it to all those who have current or expired agreements, and hoped the newspaper would publish a story that people outside the City limits need to enter into agreements with the City if they do not have any other actual access to fire protection services, such as if they are in the Flower Mound area, they should be using the Flower Mound rural fire protection, or the same with Cache. Vincent said they are developing a mutual aid agreement to enter into with other fire companies, whether it be Cache, Flower Mound, Medicine Park, etc. where Lawton can provide service and receive service from them on an as-needed basis. He said the State Statute authorizing providing service outside the City limits requires an agreement. Lawton has agreements with the County and Fort Sill. The individual property owners

have to enter into agreements with the City, and they had looked at pre-paid agreements but Lawton is equipped to handle City operations only within the City limits. The agreements provide that we do not respond outside the City limits unless we have the equipment and personnel to send out there without lessening the service to the citizens of the City of Lawton. If we enter into an subscription agreement that is pre-paid, we must provide the service even if it would affect the service to the citizens of Lawton, so a decision was made during the process of structuring the new agreement that is in the process of being sent out that we are giving the Fire Chief and his deputies the authority to say no because there may be a big fire taking place in Lawton and the equipment cannot be sent five miles outside the City limits to help someone.

Warren said he felt this was still very cheap because our costs on an hour run would probably be closer to \$2,000 than \$200, although it would be difficult to calculate the costs.

MOVED by Purcell, SECOND by Shanklin, to approve Resolution No. 99-2. AYE: Williams, Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 99-2

A resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 1995, amending fees for fire protection outside City limits and providing for an effective date.

12. Consider adopting an ordinance notifying the public of the publication of Supplement No. 3 to the Lawton City Code, 1995, and declaring an emergency. Exhibits: Ordinance No. 99-3.

Vincent said Supplement 2 was published in July 1998. He said Supplement 3 was prepared with the Code Master equipment in his office and that they hoped to have it on the web site soon.

MOVED by Shanklin, SECOND by Smith, to adopt Ordinance No. 99-3, waive reading of the ordinance, reading the title only, and declare an emergency.

(Title read by Clerk) Ordinance No. 99-3

An ordinance approving Supplement No. 3 to the Lawton City Code, 1995, directing filing and notification of the publication of Supplement No. 3 to the Lawton City Code, 1995, and establishing a fee for the sale of Supplement No. 3, and declaring an emergency.

VOTE ON MOTION: AYE: Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

Mayor Powell said a person had wanted to speak regarding the Parks & Recreation item, specifically using Town Hall once a month for feeding the hungry, and asked if Council would allow comment at this time; there was no objection.

Domingo Herrera, 1210 S 24th Place, said he was representing the Pastor of the House of Bread Ministry who feed the hungry once a month. This has been going on for two years at the Town Hall at no fee. The building has been used on Saturday for about three hours to feed the hungry and provide clothing. Last month they were told they would have to start paying a fee to use the facility for three hours on the fourth Saturday of the month. He said they make no profit in this regard and provide assistance to the community. Herrera requested the City waive the \$20 per hour fee that is proposed to be charged as they are reaching out to the community.

Baker said he had talked with representatives of this organization several times. He said he was advised that the City cannot legally provide exemptions and provide this at no cost. Vincent said staff had been approached by agencies several times in the past six months, not only this agency but also Habitat for Humanity, Great Plains Improvement Foundation, and others, to donate services, and we are by law not authorized to donate services to non-governmental agencies. Vincent said we could possibly come up with some type of fee schedule that might not be an onerous, but we have to charge.

Williams asked if a donation could be made back to the organization, possibly through CDBG. Vincent said if they become a recognized agency under CDBG, it is a different situation entirely. Haywood asked if it would be sufficient to charge \$1. Vincent said he would have to look into that.

Warren asked if it was a for profit organization and Herrera said a non-profit organization. He asked if Council could provide a donation to the organization from Council Contingency funds. Vincent said no, Council cannot use tax dollars for the benefit of any private, profit or non-profit, corporation or agency. Vincent suggested seeking assistance through CDBG as Williams mentioned. Vincent said the VFW was provided office space in town hall in another town, and a taxpayer suit was successful in pointing out the illegality of providing office space to the agency and the town lost.

Mayor Powell suggested Herrera and his organization meet with Mr. Pondrom to see if something could be worked out with CDBG.

Warren said the fees are set by code and it cannot be waived, but at the same time, the code requires your grass be cut to 12 inches but an inspector is to go out there and not give a citation the first time. He said an explanation was needed as to why we cannot not charge them, just like we cannot give someone a ticket for high grass and weeds.

Vincent said whether or not a ticket is issued on a criminal violation is a discretionary act on the part of a law enforcement

officer, and in this case it is the Code Administration Department. He said it is a discretionary act on the first offense, similar to a police officer stopping someone for speeding where he may issue a citation or he may issue a warning, and it is within the discretion of the law enforcement officer. Vincent said here you are talking about an administrative process versus a law enforcement process in renting a city facility to a non-government entity, whether it be a family reunion or these folks for the very good cause of feeding the hungry, or the VFW for publishing their newspaper and providing assistance to a town.

CONSENT AGENDA:

13. Consider the following damage claims recommended for denial: Earl and Jane Conti; Bruce Johnson; and Lillian Priest. Exhibits: Legal Opinions/Recommendations. Action: Denied the claims.

ITEMS 14, 15 AND 16 WERE CONSIDERED SEPARATELY AS SHOWN BELOW.

17. Consider a resolution requesting Oklahoma Department of Transportation (ODOT) to increase the speed limit on "Rogers Lane" US-62 from NW 82nd Street easterly 1.75 miles to a point located 0.25 miles west of NW 52nd Street. Exhibits: Resolution No. 99-8; Excerpt of 12/17/98 Draft Traffic Commission Minutes; Letter dated 11/23/98 from ODOT.

(Title only) Resolution No. 99-8

A resolution authorizing the installation and/or removal of traffic control devices at certain designated locations within the City of Lawton, Oklahoma.

18. Consider a resolution authorizing the installation and or removal of traffic control devices at specified locations. Exhibits: Resolution No. 99-9; Excerpt of 12/17/98 Draft Traffic Commission Minutes.

(Title only) Resolution No. 99-9

A resolution authorizing the installation and/or removal of traffic control devices at certain designated locations within the City of Lawton, Oklahoma. INSERT LOCATIONS;

ITEM 19 WAS CONSIDERED SEPARATELY AS SHOWN BELOW.

20. Consider adopting a street light resolution to authorize installation of additional street lighting along SW 11th Street from the SW 5100 block of SW 11th Street south past the I-44 Interchange. Exhibits: Street Light Resolution Number 405.

21. Consider entering into an agreement with Great Plains Improvement Foundation (GPIF), Inc. for operation of the Community Development Small Business Revolving Loan Fund. Exhibits: Agreement. Action: Approve the Agreement, and authorize the Mayor and City Clerk to execute the agreement between the City of Lawton and Great Plains Improvement Foundation, Inc. for administration of the Community Development Block Grant Small Business Revolving Loan Fund (SBRLF).

22. Consider approving an agreement with Great Plains Improvement Foundation, Inc. (GPIF) in the amount of \$46,395.00 for the implementation of the Lawton View Youth House Project. Exhibits: None. Action: Approve agreement between the City of Lawton and Great Plains Improvement Foundation, Inc. and authorize the Mayor and City Clerk to execute the agreement.

23. Project Safe Place Agreement. Exhibits: Letter of Agreement. Action: Approve Agreement and authorize the Mayor and City Clerk to execute the agreement.

24. Consider adopting a resolution authorizing the Mayor and City Clerk to execute an Industrial Access Road Agreement with the Department of Transportation of the State of Oklahoma (ODOT) for the Flower Mound Road from Lee Boulevard to Bishop Road Project. Exhibits: Resolution No. 99-10; Agreement.

(Title only) Resolution No. 99-10

A resolution whereby the City Council of Lawton, Oklahoma authorizes the execution of an Industrial Access Road Agreement with the Department of Transportation of the State of Oklahoma for the Flower Mound Road from Lee Boulevard to Bishop Road Project under plans and specifications for State Aid Project No. SAP-116D(030), Job No. 17594(04), in accordance with the terms and tenor of 69 O.S. 1991, Sections 1205, 1206, 1401 and 1403.

25. Consider awarding a construction contract to Kent Waller Construction for the Central Fire Station Renovation Project 97-16. Exhibits: 12/29/98 Bid Tabulation. Action: Award contract to Kent Waller Construction in the amount of \$55,634.00.

ITEM 26 WAS CONSIDERED SEPARATELY AS SHOWN BELOW.

27. Consider approving Change Order No. 2 for the NW Cache Road Waterline Project 97-8 with M.L. Young Construction Corporation. Exhibits: Location Map. Action: Approve Change Order No. 2 with ML Young Construction Corp.

28. Consider accepting a permanent easement from Ronald L. Hardzog for the 42" raw water line in the southeast quarter of Section Thirty (30), Township Four North (T-4-N), Range Eleven West (R-11-W). Exhibits: None. Action: Accept a

permanent easement from Ronald L. Hardzog.

ITEM 29 WAS CONSIDERED SEPARATELY AS SHOWN BELOW.

30. Consider authorizing the Mayor and City Clerk to execute a quit claim deed to Ivanhoe, Inc. for Block 15, Lot 12, Sherwood Addition, Part 5. Exhibits: Quit Claim Deed. Action: Void action to execute a warranty deed and authorize execution of a quit claim deed to Ivanhoe, Inc. for Lot 15, Block 12, Sherwood Addition, Part 5.

31. Consider approving a Release of Mortgage on residential property belonging to Lee and Barbara Morris located at 2403 SW D Avenue, Lawton, Oklahoma, and authorize execution of the Release of Mortgage. Exhibits: Release of Mortgage; Mortgage. Action: Release Mortgage.

ITEM 32 WAS CONSIDERED SEPARATELY AS SHOWN BELOW.

ITEM 33 WAS PULLED FROM THE AGENDA AND NOT ACTED ON: 33. Consider accepting a Warranty Deed for a ten (10) foot strip along the west side of the Health Department property from the Board of Education of Independent School District No. 8 in the southwest quarter of Section Thirty-Six (36), Township Two North (T-2-N), Range Twelve West (R-12-W). Exhibits: None.

34. Consider awarding contract for Police Uniforms and Accessories. Exhibits: Vendor's Mailing List; Bid Tabulation; Department Recommendation. Action: Award contract to Skaggs Public Safety Uniform and Equipment, of Dallas, TX.

35. Consider awarding contract for Dairy Products for City Jail. Exhibits: Vendor's Mailing List; Bid Tabulation; Department Recommendation. Action: Award contract to Hiland Dairy Foods, of Norman, OK.

36. Consider awarding contract for Police Footwear. Exhibits: Vendor's Mailing List; Bid Tabulation; Department Recommendation. Action: Award contract to Tuxall Uniform, Oklahoma City, OK.

37. Consider awarding contract for Dump Truck Hauling. Exhibits: Vendor's Mailing List; Bid Tabulation; Department Recommendation. Action: Award contract to Lawton Transit Mix, Inc., of Lawton, OK.

ITEM 38 WAS CONSIDERED SEPARATELY AS SHOWN BELOW.

39. Consider extending contract for Billboard Display Advertising. Exhibits: Vendor's Mailing List; Bid Tabulation; Department Recommendation. Action: Extend contract with Kehler Outdoor Advertising, of Bartlesville, OK.

ITEM 40 WAS CONSIDERED SEPARATELY AS SHOWN BELOW.

41. Appointments to Boards. Exhibits: Memorandum. Parks and Recreation: Jerry Thorne, Term: 1/12/99 to 1/12/2001

42. Consider approval of payroll for the period of January 11 through 24, 1999. Exhibits: None. Action: Approved.

Mayor Powell asked that Item 33 be stricken from the agenda. Shanklin asked for separate consideration of Items 15, 16, 19 and 40. Vincent asked that Item 32 be considered separately. Williams asked that Items 26, 29 and 38 be considered separately.

MOVED by Haywood, SECOND by Smith, to approve the Consent Agenda as recommended with the exception of the items requested to be considered separately. AYE: Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler. NAY: None. MOTION CARRIED.

14. Consider the following damage claims recommended for approval and consider passage of the resolutions authorizing the City Attorney to file friendly suits for the claims which are over \$400.00: Martin and Doris Babb; Charles and Mary Beller; Larita Bishop; James and Earnesine Evans; John and Jean-Rose Ferguson; Eric and Brenda Hester; Rosalie and Laverne Pennah; and Southwestern Bell Telephone Company. Exhibits: Legal Opinions/Recommendations; Resolution Nos. 99-3 through 99-7. Claim amounts: Bishop - Reduced to \$100; Ferguson - \$170; Hester - \$45.

(Title only) Resolution No. 99-3

A resolution authorizing and directing the City Attorney to assist Martin S. and Doris S. Babb in filing friendly suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the reduced amount of Three Thousand Three Hundred Thirty-Three and 12/100 Dollars (\$3,333.12).

(Title only) Resolution No. 99-4

A resolution authorizing and directing the City Attorney to assist Charles P. and Mary Beller in filing friendly suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the reduced amount of Four Hundred Ten and No/100 Dollars (\$410.00).

(Title only) Resolution No. 99-5

A resolution authorizing and directing the City Attorney to assist James W. and Earnesine Evans in filing friendly suit in the

District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the reduced amount of Two Thousand Three Hundred Fifty and No/100 Dollars (\$2,350.00).

(Title only) Resolution No. 99-6

A resolution authorizing and directing the City Attorney to assist Rosalie and Laverne Pennah in filing friendly suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the amount of Two Thousand Two Hundred Eight-three and 28/100 Dollars (\$2,283.38).

(Title only) Resolution No. 99-7

A resolution authorizing and directing the City Attorney to assist Southwestern Bell Telephone Company, in filing friendly suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the amount of One Thousand Three Hundred Fifteen and 98/100 Dollars (\$1,315.98).

MOVED by Purcell, SECOND by Williams, for approval of the damage claims as indicated in Item 14. AYE: Shanklin, Haywood, Warren, Smith, Williams, Sadler, Purcell. NAY: None. ABSTAIN: Beller. MOTION CARRIED.

15. Consider establishing a project "Rogers Lane-West 82nd Street Reconstruction" in the 1995 Sales Tax Capital Improvement fund and authorize the transfer of funds. Exhibits: Memorandum from Public Works/Engineering Director; 1995 Sales Tax Capital Improvement Report.

Shanklin said he wanted to bring to the attention of the audience that in the 1995 Capital Improvement Fund, we are transferring \$16,000, leaving in the 1995 CIP \$1,159,000 that is not encumbered. He asked if that was correct. Steve Livingston, Finance Director, said that was correct. Shanklin asked if the \$2.5 million was allocated toward the detention pond and if that was in concrete. Shanklin said it was earmarked but staff shows it listed in concrete and Council never really put it in concrete.

MOVED by Shanklin, SECOND by Smith, to approve Item 15. AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin. NAY: None. MOTION CARRIED.

16. Consider transferring 1990 Sales Tax Capital Improvement funds to the Rogers Lane - West 82nd Street Reconstruction. Exhibits: 1990 Sales Tax Capital Improvement Report.

Shanklin said this item concerns the 1990 CIP and we are transferring \$92,000 to the Rogers Lane and 82nd Street Project. He asked if there was a remaining balance of \$575,000 or if the transfer takes out all of the funding. Livingston said the balance is appropriated but unencumbered in this particular report. Livingston said the funds being transferred are those that were freed up as a result of finishing other projects. Shanklin asked if Council could go back to the 1990 CIP in the future and expect any funds to be remaining. Livingston said it still earns a little interest, such as \$200 per month, and there could be funding left over from projects which are not yet completed, and those funds could be transferred to another project, as is the case with this item. Shanklin said the point is that it has taken ten years to spend the 1990 CIP, which is significant for the taxpayer to understand.

MOVED by Shanklin, SECOND by Williams, to approve Item 16. AYE: Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller. NAY: None. MOTION CARRIED.

19. Consider denying requests for the installation of traffic control devices at specified locations. Exhibits: Excerpt of 12/17/98 Draft Traffic Commission Minutes.

Shanklin said he had requested no parking on 9th Street between Columbia and Dearborn by Washington School. He said cars are parking on both sides of 9th Street and it is a dangerous situation and both the school and Old Town North requested the no parking signs. Shanklin said that is not included in this item but action is needed.

MOVED by Shanklin, SECOND by Smith, to approve Item 19. AYE: Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller, Haywood. NAY: None. MOTION CARRIED.

26. Consider awarding a construction contract to S Construction for the H.C. King Parking Project 98-9. Exhibits: 12/29/98 Bid Tabulation.

Williams said this project had taken a long time but the rebid came in lower than the engineer's estimate. He said those who use the facility will be very appreciative of the improvement, especially since they have been told to stay off of the grass with their vehicles.

MOVED by Williams, SECOND by Haywood, to award the construction contract to S Construction Inc. for the H.C. King Parking Project 98-9 in the amount of \$16,233.00. AYE: Smith, Williams, Sadler, Purcell, Shanklin, Beller, Haywood, Warren. NAY: None. MOTION CARRIED.

29. Consider authorizing the Sewer System Technical Division to make additional fee payments to the Bureau of Indian Affairs (BIA) for easements required for the Bishop Road Interceptor Project 98-2 (SSes). Exhibits: Resolution No. 98-194.

Williams asked the reason for the increased amount of funding required for the easement. Ihler said the City submitted the

appraised value, in the amount of \$4,400, which was twice the amount of the appraisal. He said it was reviewed by the BIA, and in accordance with their CFR, there was a minimum amount with regard to the value of \$38 per yard, which caused the dollar value to be adjusted to \$12,000 and the City will receive 50% back upon completion of the project. Ihler said \$6,000 for the right of way being received is a good value.

MOVED by Williams, SECOND by Smith, to authorize the Sewer System Technical Division to make additional fee payments in the amount of \$7,760.00 to the BIA for easements required for the Bishop Road Interceptor Project 98-2 (SSes). AYE: Williams, Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. MOTION CARRIED.

32. Consider accepting a permanent drainage right of way, a permanent utility right of way and a temporary easement from the Board of Education of Independent School District No. 8 in the southwest quarter of Section Thirty-Six (36), Township Two North (T-2-N), Range Twelve West (R-12-W). Exhibits: None. Action: Accept documents.

Vincent said he requested the item be considered separately. He said there was a glitch on the redesign of the drainage structure. Vincent said he had the temporary utility easement and permanent utility right of way and requested those be accepted, with the final drainage easement to be returned at a later time.

MOVED by Warren, SECOND by Williams, to accept the temporary utility easement and permanent utility right of way. AYE: Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

38. Consider extending contract for Work Clothing. Exhibits: Vendor's Mailing List; Bid Tabulation; Department Recommendation.

Williams said it came to his attention today in talking with Joe Joiner that there had been some problems with some pieces of clothing. He said Financial Services related that they had not received any feedback from staff that there had been problems, but that he had heard of some, so he suggested it be tabled so they could be sure.

Baker said he checked with each department involved and asked them more than once if there had been problems with quality, delivery or any other aspect of the clothing because there have been problems in the past. He said the responses he received were that the divisions were perfectly satisfied with the contract. Baker said they would be glad to check into it again. Shanklin said he did not get that response from some of the employees, and the comments were that the quality was not there, plus some items had been ordered in September and they have not yet arrived.

MOVED by Williams, SECOND by Shanklin, to table Item 38. AYE: Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler. NAY: None. MOTION CARRIED.

40. Consider rejecting bid for Integrated Electronic Document Management System. Exhibits: Vendor's Mailing List; Bid Tabulation; Department Recommendation.

MOVED by Shanklin, SECOND by Williams, to approve Item 40 as recommended to reject the bids.

Warren asked the amount of shortage of funds for this item. Bill Adamson, Police Chief, said it was around \$10,000. Warren asked if it was due to the request for other departments to have the ability to use the carousel. Adamson said they originally wanted to ask that it be separated out so it could be done in the future if needed, but the vendor added it all into one bid. Warren asked if this could be accepted and the difference be paid from the budgets of the departments that would be involved. Adamson said the funding source is grant money. Vincent said he was not sure it could be separated.

VOTE ON MOTION: AYE: Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell. NAY: None. MOTION CARRIED.

BUSINESS ITEMS:

43. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a lawsuit styled J. R. Ballard v. City of Lawton, Case No. CJ-98-432, Comanche County District Court, and, in open session, appoint a person to represent the City at the settlement conference. Exhibits: None.

44. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a proposed settlement in the civil suit styled Dewey v. City of Lawton, Oklahoma, Case No. CJ-96-485, in the District Court of Comanche County, and, if necessary, take appropriate action in open session. Exhibits: None.

45. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a claim filed by C. Steve Wilson and, if necessary, take appropriate action in open session. Exhibits: None.

46. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a lawsuit styled Homeside Lending, Inc. vs. Michael A. Marsh, et al., Case No. CJ-98-1307, in the District Court of Comanche County, and take appropriate action in open session. Exhibits: None.

47. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the acquisition of a property for the Floyd Avenue Project, and take appropriate action in open session. Exhibits: None.

48. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a proposed settlement in the suit styled White vs. The City of Lawton, Case Numbers CJ-93-19 and CJ-94-45, in the District Court of Cotton County, Walters, Oklahoma, as appealed to the Supreme Court, State of Oklahoma in Case Numbers 88052, 91906 and 91698, and, if necessary, take appropriate action in open session. Exhibits: None.

49. Pursuant to Section 307B1, Title 25, Oklahoma Statutes, consider convening in executive session to consider the continued employment of Mr. Ken D. Harris as Municipal Judge, consider an Employment Agreement, and, if necessary, take appropriate action in open session. Exhibits: Mayor's Letter of Nomination.

MOVED by Williams, SECOND by Warren, to convene in executive session as shown on the agenda and recommended by the legal staff. AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin. NAY: None. MOTION CARRIED.

The Mayor and Council convened in executive session at approximately 8:40 p.m., after taking a brief recess. The regular, open meeting was reconvened at approximately 9:55 p.m. with roll call reflecting all members present.

Vincent said the first item discussed in executive session was J.R. Ballard v. City of Lawton. He recommended a motion to appoint G. Wayne Smith as the City Council representative to the settlement conference.

MOVED by Smith, SECOND by Williams, to appoint G. Wayne Smith as the City Council representative to the settlement conference in Ballard v. City. AYE: Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller, Haywood. NAY: None. MOTION CARRIED.

Vincent said Item 44 was a discussion of a possible settlement of Dewey v. City of Lawton. He recommended approving a resolution authorizing settlement of this case in the amount of \$21,500.

MOVED by Haywood, SECOND by Smith, to approve a resolution authorizing settlement of Dewey v. City in the amount of \$21,500. AYE: Smith, Williams, Sadler, Purcell, Shanklin, Beller, Haywood, Warren. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 99-11

A resolution authorizing the City Attorney to enter into a settlement agreement for the sum of Twenty-One Thousand Five Hundred Dollars and 00/100s (\$21,500.00) as settlement of a suit filed by Thomas Michael Dewey, by and through his attorney, James R. Moore, and directing the City Attorney to prepare and file a Journal Entry incorporating said resolution and settlement agreement for the Court's approval.

Vincent said Item 45 is a case involving Steve Wilson and the City of Lawton. He requested a motion authorizing the City Attorney's office to appeal the lower court's decision.

MOVED by Smith, SECOND by Haywood, to authorize the City Attorney's office to appeal the lower court's decision in the case involving Steve Wilson. AYE: Williams, Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. MOTION CARRIED.

Vincent said Item 46 is a case involving Homeside Lending, Inc. v. Michael A. Marsh, et al. He recommended a motion to ratify the actions of the City Attorney's office in disclaiming any interest in the property at issue.

MOVED by Haywood, SECOND by Williams, to ratify the actions of the City Attorney's office as recommended. AYE: Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

Vincent said Item 47 is an item to discuss the possible acquisition of property for the Floyd Avenue Project and no action is required.

Vincent said Item 48 is a discussion of the White v. City of Lawton lawsuits CJ-93-19 and CJ-94-45, and appellate cases 88052, 91906 and 91698. He requested a motion authorizing the City Attorney to settle the lawsuit and to authorize the Mayor and City Clerk to sign the appropriate documents when prepared.

MOVED by Williams, SECOND by Haywood, to authorize the City Attorney to settle the lawsuit and to authorize the Mayor and City Clerk to sign the appropriate documents when prepared. AYE: Purcell, Shanklin, Beller, Haywood, Warren, Williams, Sadler. NAY: Smith. MOTION CARRIED.

(Title only) Resolution 99-12

A resolution authorizing and directing the City Attorney to settle a suit styled White Vs. The City of Lawton, Oklahoma, District Court of Cotton County, Case Numbers CJ-93-19 and CJ-94-45; and as appealed to the Oklahoma Supreme Court, Case Numbers 88052, 91906 and 91698.

Vincent said Item 49 was to discuss the employment of Ken D. Harris as Municipal Judge. He requested a motion authorizing and approving the appointment of Mr. Harris as the Municipal Judge and directing the City Attorney to bring back a contract at the January 26 Council meeting.

MOVED by Smith, SECOND by Haywood, to authorize and approve the appointment of Mr. Harris as the Municipal Judge and direct the City Attorney to bring back a contract at the January 26 Council meeting. AYE: Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell. NAY: None. MOTION CARRIED.

Vincent said that would conclude the City Attorney's report of the executive session.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER.

Smith said there will be a City Hall blood drive on February 16, and all employees are encouraged to donate.

Williams said the Museum of the Great Plains Trust Authority has hired Richard Welch as the Museum Director and he will start work this week. He said Mr. Welch comes highly regarded and the Authority is extremely optimistic with regard to the director and the facility. Williams said he and Smith attended the OML Legislative Committee meeting last week, and they would report on those meetings in the future.

Beller said there are problems with private sprinkler systems placing water in the streets, which then freezes during freezing weather. He asked where the responsibility would be if a collision should occur. Beller said there are problems in particular on Cache Road between Sheridan and 38th Street, as well as an area on Lee Boulevard. He asked who would be responsible if there is a hazard created by that act. Vincent said he knew of a case involving the golf course at Tinker Air Force Base spraying onto 29th Street in Midwest City, and it froze and there was a car accident, and the lawsuit was against the air force base. Vincent said it was his impression that if the property owner allows their sprinkler system to cause a hazard on the roadway that it is the property owner's responsibility based on his knowledge at this time.

Mayor Powell said he got a call from persons associated with the cancer clinic on Lee Boulevard asking if the City could do anything for them. He said he found out the City could not, but there are some places that have problems in that regard. Beller suggested the City could make those property owners aware that they are creating a possible hazard. Mayor Powell said that would be a good idea. Baker suggested that Code Administration could inform them; response was that anyone observing a problem could let the property owner know of it. Warren asked if the City would be responsible for not sanding. Vincent said he did not think that would relieve the property owner of liability. Beller said he would rather that the inspectors not become involved. Vincent suggested putting a note on the back of the water bill and that was acceptable.

Haywood reported on January 15 at 7 a.m. the J.L. Davenport Breakfast would be held and everyone is invited and Albert Johnson will be the guest speaker. He said on Friday evening, the Lawton Public Schools would sponsor an event at McMahon Auditorium in honor of Dr. Martin Luther King, Jr. Mayor Powell said next Monday night, Cameron University was sponsoring an event at the First United Methodist Church.

Mayor Powell said on Thursday afternoon, the recycling committee would meet at the Library, and encouraged attendance.

Baker said the new secretary would start tomorrow in the Mayor and City Manager's office, her name is Paula Brower. He said he had sent a memo on the status of Parks & Recreation Director and Assistant City Manager. Williams said the door to that office had been closed lately and Mayor Powell said they are working on the latch that has been broken.

Purcell said Baker provided a 60 day progress report, which was very good, and that he appreciated being kept informed.

Warren said the door in the break room was to have been moved so people could get to the vending machines but it is locked again tonight. Baker said he sent another e-mail for that to be done and that it will be.

There was no further business to consider and the meeting adjourned at 10:10 p.m. upon motion, second and roll call vote.